

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action of September 18, 2008, in which the Examiner (1) rejected claims 17-24 and 26-29 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2007/0124795 (“**McKissick**”) and (2) rejected claim 25 under 35 U.S.C. 103(a) as being unpatentable over **McKissick**.

By the present Amendment, claim 17 has been re-written and is now presented as new claim 30. Claims 19 and 25-27 have been amended to now depend from claim 30 (rather than claim 17). Claims 17, 18, 20-24, 28 and 29 have been cancelled. Claims 31 -36 have been added.

Support for newly recited features in claim 30 (as well as various elements appearing in the new dependent claims) can be found in Figs. 2, 4-6, 11 and 12, and in the Specification, for example, at paragraphs 0036, and 0058-0060.

Independent claim 30 now recites additional features (not present in prior claim 17), such as:

“an IM server operated by an IM service provider for receiving, displaying and sending IM messages among the users, the IM server also managing personal profile data entered by the users;

a survey database connected to the IM server for receiving and storing data relating to the displayed IM messages; and

a survey server separate from the IM server for receiving from the survey database data relating to IM messages displayed at the user interface, for aggregating IM content, including program IDs and keywords present in the displayed IM messages, and personal profile data of the users associated with the displayed IM messages, and for generating reports so that video programming activity by multiple users may be tracked at the survey server.”

Such additional elements are neither disclosed nor suggested by the cited reference, and for such reason claim 30 is believed allowable. Dependent claims 19, 25-27, and

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31-36 each recite limitations in addition to those recited in independent claim 30 are believed allowable for at least the same reasons as stated above.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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